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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING Meeting Minutes
DATE AND TIME:	Wednesday, July 10, 2013 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904
Minutes Approved:	September 11, 2013

MEMBERS PRESENT

Evelyn Nicholson, President, Public Member
Robert Contino, RN, Vice President, Nurse Education Member
Dianne Halpern, RN Member
Robert Maddex, Public Member
Madelyn Nellius, Public Member
David Salati, RN Member
Tracy Littleton, LPN Member
Delphos Price, APN Member
Harland Sanders, Jr., Public Member
Mary Lomax, Public Member
Pamela Tyranski, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III
Patty Davis-Oliva, Deputy Attorney General

MEMBERS ABSENT

Lyron Deputy, RN Member
Kathy Bradley, LPN Member

ALSO PRESENT

Juli LaBadia, Wilcox and Fetzer
Carol Sando
Brittany Campaniello
Barbara J. Robinson
Karen Potts
Tammy Paxton
Connie Bushey
Lisa Schieffert
Margaret-Rose Agostino
Andrea Rodgers
Johnna Hatter
Russell Hatter
Nancy Lulay

Ms. Nicholson called the meeting to order at 9:08 a.m. The Board introduced themselves to the public.

REVIEW OF MINUTES

The Board reviewed the minutes of the June 12, 2013 meeting and suggested a few grammatical changes. Mr. Sanders made a motion, seconded by Dr. Lomax, to approve the minutes as corrected. By unanimous vote, the motion carried.

ADOPTION OF THE AMENDED AGENDA

Ms. Nicholson said number 9.5.6 on the Amended Agenda should have been numbered 9.5.5. Ms. Halpern made a motion, seconded by Ms. Tyranski, to adopt the agenda as amended with changes. By unanimous vote, the motion carried.

ACTIVITIES REPORT

Dr. Zickafoose reported the number and types of active licenses as of July 10, 2013.

Total Active Licenses = 20,683
APN = 1317
RN = 16,303
LPN = 3063
Total permits= 63

UNFINISHED BUSINESS

None

COMMITTEE REPORTS

APN Committee – Mr. Price said the committee met recently and they will be meeting with Senator Hall-Long at their next meeting. The committee received a letter from the Board of Medical Licensure and Discipline stating they could not support the Consensus Model bill without a collaborative agreement because “mid-level medical providers.....need some degree of supervision.” Members discussed APNs are not currently supervised as other mid-level providers are in DE and that a collaborative agreement is not needed for licensure purposes. Dr. Zickafoose added that the APN committee supports having a contract or agreement if the APN is employed by a physician practice or organization. Dr. Contino inquired about support for the legislation and Mr. Price replied that he works with Dr. Fan who is the Medical Society president-elect. Mr. Price will continue to dialogue with her. All legislators were very receptive at Lobby Day at Legislative Hall and several members reported physicians had already spoken to the legislators and their story was quite different from the Consensus Model literature. The June APN newsletter was also emailed to all APNs in DE with an email address and it is on the Board of Nursing website. The next meeting is August 26th at the University of Delaware.

AWSAM Committee – Ms. Tyranski reported they had not met since the last Board meeting but the curriculum sub-committee met on June 26th. The draft of the core curriculum was shared with Board members and Ms. Tyranski stated they were almost finished with the core. Then the modules would need to be developed by the specific programs under AWSAM. The Division of Developmental Disabilities requested to use an online program and the committee is reviewing this program. The next meeting will be July 23rd.

Practice and Education Committee – Dr. Contino said the committee met on June 14, 2013 and reviewed the interim reports.

- Del Skills Center, Leads School of Technology, and Wesley College reports were accepted as written.
- DSU – Report was not accepted as written. The report was lacking in the key areas and was sent back to be re-done and re-submitted by September 15, 2013.
- Camtech – No report was submitted. Dr. Contino said Camtech lost their request for a stay in the court system and will now have to close their program. The school will close after currently enrolled students have finished the program.

PRESIDENT'S REPORT

Ms. Nicholson thanked everyone for attending the meeting and said she was thankful all stayed safe during the recent serious weather conditions.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose passed around a Wesley College article written about Mr. Lyron Deputy and his sleep center. She said Dr. Contino is also mentioned in the article. Congratulations to both Mr. Deputy and Dr. Contino.

Dr. Zickafoose noted that there were now 16 states with independent practice and no collaborative agreement for APNs which has increased from 11 states in 2011. Rhode Island just passed their law within the past two weeks. The Board office staff is preparing for the September renewal where 12,806 RNs are due to renew. The Division has accepted Reliant Behavioral Health (RBH) as the third party vendor to monitor professionals in the VTO program. Dr. Zickafoose, Ms. Warren, and Ms. MacAfee have been working diligently to develop policies and procedures with RBH. September is the target implementation date.

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

By Examination

Mufantem Morfaw, GN – Ms. Morfaw graduated from Hartford Community College in May 2013. She answered 'yes' to question #17, regarding licenses under investigation. A letter from the law firm Balik and Balik, Inc. was enclosed with her materials. A complaint was filed in 2012 but an Investigator was not assigned until recently. Mr. Price said he feels the Board should wait to make a decision until they find out the conclusion from the investigation. Mr. Price made a motion, seconded by Ms. Tryanski, to PTD licensure by examination to Ms. Morfaw with the right of the applicant to a hearing. By unanimous vote, the motion carried.

Bruce Ricketts, GN – Mr. Ricketts graduated from DTCC, Owens Campus in May 2013. Mr. Ricketts answered 'yes' to question #19, regarding criminal offenses. He also answered 'yes' to question #21, regarding dependency on habit forming drugs. Mr. Ricketts submitted a letter of explanation stating he has been drug free for 5+ years, as well as submitting two positive letters of reference. Dr. Contino asked if he was correct in reading that Mr. Ricketts lied to police three times by giving false names. Ms. Tyranski said he was correct. Mr. Price said Mr. Ricketts also admitted doing cocaine. Dr. Contino said he worries about documentation since Mr. Ricketts had lied when giving his name to police. Dr. Contino made a motion, seconded by Mr. Maddex, to PTD with the right of the applicant to a hearing. By unanimous vote, the motion carried.

Brittany Campaniello, GN – Ms. Campaniello graduated from DTCC, Owens Campus in December 2012. Ms. Campaniello answered 'yes' to question #19, regarding disclosure of criminal offenses. Her letter of explanation did not state the circumstances of the event, nor the amount of money taken. It

only stated, "the amount of money taken was not nearly what I took." The letter states that she served a few months of probation, but not how many months. She mentioned that she did community service but gave no specifics. Ms. Davis-Oliva said Ms. Campaniello signed a 'Confession of Judgment' note to pay back \$13,000 to Upper Cut, which will start this month. She is currently on probation. Ms. Davis-Oliva said Ms. Campaniello's letter stated the amount of money she had taken was not nearly the amount she was told to pay back but her attorney advised her to sign to do this anyway. She said she was arrested by Dover Police Department on August 9, 2012 and the case moved into Superior Court. She said she was charged with a felony but pled to a misdemeanor 'theft under \$1500; however, she has agreed to pay back almost \$14,000. Mr. Salati made a motion, seconded by Ms. Halpern, to PTD on the basis of a 'conviction of a crime substantially related' with the right of the applicant to a hearing. By unanimous vote, the motion carried.

By Endorsement

None

By Reinstatement

None

Advanced Practice Nurse

None

Renewal

None

COMPLAINT ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Mr. Price made a motion, seconded by Ms. Littleton, to ratify the following complaint assignments given to the respective Board contact person. By unanimous vote, the motion passed.

11-54-13 (Maddex)	11-55-13 (Sanders)	11-56-13 (Salati)	11-57-13 (Lomax)
11-58-12 (Tyranski)	11-59-12 (Price)	11-60-13 (Nellius)	

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only to get into the record.

Dismissed by the Attorney General's Office.

11-85-11 11-22-12 11-62-12

Closed Investigations by the Division of Professional Regulation

HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Carolyn Sweeney, RN – Board members reviewed the Consent Agreement and Ms. Davis-Oliva gave a synopsis of it. Mr. Price made a motion, seconded by Mr. Maddex, to accept the consent agreement as written. By majority vote, the motion carried, with Ms. Littleton recused.

Diphiner Omundi, RN – Board members reviewed the Consent Agreement and Ms. Davis-Oliva gave a synopsis of it. Ms. Nellius made a motion, seconded by Ms. Littleton, to accept the consent agreement as written. By majority vote, the motion carried, with Ms. Halpern recused.

Hearing Panel Findings/Decisions/Orders

Appointment of Hearing Panel #15

Before appointing a new Hearing Panel, Ms. Nicholson publicly, and for the record, acknowledged the members of Hearing Panel #14 for the extra time and service that they have given to the Board and to the citizens of Delaware. The Panel members were Dr. Contino, Mr. Salati, and Mr. Maddex. Thank you to all.

Ms. Nicholson nominated the members for Hearing Panel #15: Ms. Halpern, as a Professional Member and as Chairman of the Panel; Ms. Tyranski, as a Professional Member; and Dr. Lomax, as the Public Member. Hearing Panel #15 will serve for a three month period: August, September, and October. Dr. Contino made a motion, seconded by Mr. Sanders, to accept and approve the nominations for Hearing Panel #15. By unanimous vote, the motion carried. Ms. Nicholson thanked the members of the new Hearing Panel for accepting their appointments and for their willingness to serve.

Hearing Officer Recommendations

Kirstin Meloro, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. Dr. Contino pointed out several typographical errors. Ms. Halpern said she wanted to talk about the AA meetings. Ms. Nicholson said this was described on #5, page 41. She said it talked about Ms. Meloro attending AA meetings at least twice a week and quarterly reports of attendance being supplied to the Executive Director. Mr. Salati asked if these sanctions are consistent with what the Board has been doing for the past several months and Ms. Davis-Oliva said 'yes'. She explained the sanctions for Ms. Meloro are a little harsher because there are extenuating circumstances that make it different. Dr. Contino made a motion, seconded by Ms. Nellius, to accept the Hearing Officer Recommendation as written. By majority vote, the motion carried, with Mr. Price abstaining and Mr. Sanders recusing.

Bonface Njoroge, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. She said the Board also received exceptions from Mr. Njoroge. Dr. Contino asked why there was a period of probation plus a Letter of Reprimand. Dr. Zickafoose said she has talked to the Hearing Officers about this in the past and they have responded that if they recommend a Letter of Reprimand be given, they might ask for a period of probation as a sanction for a different part of the complaint. After much discussion regarding this, Ms. Davis-Oliva said she would ask the Hearing Officers to include the 'reason' for the Letter of Reprimand in the future when one is recommended with other sanctions. Ms. Nicholson made an editorial change to the recommendations on page 28, #9 on the first line. Ms. Tyranski commented that the recommendation could have been more stringent with the discipline as this was patient negligence, bordering on abandonment. She recommended extending the probation to one year. Ms. Nicholson asked if members wanted to change the recommendation and members discussed various lengths of probation. Mr. Maddex made a motion, seconded by Ms. Tyranski, to accept the Hearing Officer Recommendations with changes to include 18 months of probation and a Letter or Reprimand. By majority vote, the motion carried, with Ms. Halpern recused.

Otuniya Ndego, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. Mr. Sanders made a motion, seconded by Ms. Nellius, to accept the Hearing Officer Recommendations with the change of one word "until." By majority vote, the motion carried, with Mr. Price recused.

The Board took a recess from 10:35 a.m. until 10:45 a.m.

Kelly Souder, RN – Board members reviewed the recommendation from the Hearing Officer with Ms. Davis-Oliva describing the sanctions. Ms. Nicholson suggested that the word 'or' be changed to 'and'

on item #2, page 27. All agreed to the editorial change. Members discussed Ms. Souder's behavior as deceitful and felt the sanction should be adjusted. Mr. Price commented that people develop a higher tolerance threshold over time. Mr. Price made a motion to include 5 years suspension which could be lifted after two years with the next three years on probation, and with all other sanctions included. Ms. Halpern added there should be 3 contact hours of ethics CE added for 9 total hours of CE. Mr. Sanders restated the motion to include the changes noted above. The motion was seconded by Mr. Salati. By unanimous vote, the motion carried.

DISCIPLINARY HEARINGS - July 10, 2013

Hearing minutes follow the regular Board minutes.

DISCIPLINARY HEARINGS - July 17, 2013

None

LEGISLATIVE UPDATE

Ms. Davis-Oliva gave the following updates for legislation that passed this session:

- SB59 – Reorganization and clean-up of CSR Act – PMP – a requirement that CSR must register with PMP before January 2014.
- SB73 – Change to Pharmacy Law – permits sale of syringes and needles
- SB90 – Citation Bill – unlicensed practice in the DPR. If Investigator finds unlicensed practice, they can write a ticket. There will be 30 days given to contest it or pay the \$250 fine. This does apply to Nursing.
- SB114 – Chaperone Bill – This will go into the Nursing statute, as well as a number of other professions. Minors 15 years of age or under must have an adult over 18 years of age with them and they must be the same gender as the patient when being seen as a patient. If the minor declines, a parent or guardian must approve their decision. There will be written notices in the offices. The third person chaperone's name must be documented in the chart.
- SB119 – DHSS Bill – Establishes protocols for unused scripts for Hospice patients. CSR can only be dispensed for 3 days.
- HB130 – NPLEx – Sudafed

Legislation that did not pass:

- HB154 – DDOJ sponsored bill – 2 CE Substance Abuse for CSR
- SB115 – Emergency Suspension – ran out of time to get bill passed.

REVIEW OF COMPLIANCE

Charles Meade, RN – Dr. Zickafoose informed the Board that Mr. Meade had been placed on probation for two years because he revised insulin orders without a physician's order. She said effective July 13, 2013 Mr. Meade has met all the probationary requirements and is in compliance. She said the only thing he is missing is his performance evaluation. Dr. Zickafoose said he has been asking his supervisor for this but still hasn't gotten it. Dr. Zickafoose requested that since there is no Board meeting in August the Board grant her the authority to lift Mr. Meade's suspension if he sends a satisfactory performance evaluation to her. Mr. Price made a motion, seconded by Ms. Nellius, to lift Mr. Meade's suspension contingent upon receipt of a satisfactory performance evaluation sent to the Executive Director. By unanimous vote, the motion carried.

Harriet Durant, RN – Dr. Zickafoose said Ms. Durante was involved in a choking incident with someone from DHCI. She was to do a self-evaluation report, which was done in May 2013. She meets all her requirements for compliance. She submitted 6 hours CE's for Facility Procedures and 20 hours CE's for Documentation. She turned in CPR and Choking for 4 hours, which was appropriate for her

infraction. Dr. Zickafoose suggested the Board restore Ms. Durante's license. Mr. Maddex made a motion, seconded by Mr. Price, to lift probation for Ms. Durante and return her license without suspension or probation. By majority vote, the motion carried, with Ms. Halpern recused.

Kelly Phillips, RN – Dr. Zickafoose said Ms. Phillips received a letter of reprimand in response to medication errors that she made. She made 13 medication errors involving eight patients, none of whom were harmed. The Board had agreed previously that a letter of reprimand and CE's were recommended. Dr. Zickafoose said Ms. Phillips has completed CE's above and beyond what was required of her. Mr. Maddex made a motion, seconded by Ms. Littleton, to lift probation and restore license without conditions to Ms. Phillips. By unanimous vote, the motion carried.

PRACTICE WITHOUT LICENSURE REVIEWS

None

PRACTICE ISSUES

None

EDUCATIONAL ISSUES

Camtech Appeal – Ms. Davis-Oliva reported that their petition to stay enforcement was soundly defeated but the appeal would go forward. The last group of students will graduate in February 2014 and they are not allowed to admit any more students.

DSU Letter – Dr. Contino read the letter from Dr. Lacey stating she was “stepping out” of the chair position as of June 30, 2013. She also thanked us for our counsel during her tenure at DSU. Dr. Zickafoose commented that Dr. Carol Sando was the acting chairperson and they should submit notification to the Board.

Leads Faculty Request – Dr. Contino stated the request for Catherine Arnold, RN, MSN shows she meets the qualifications and he made a motion to accept the request. Mr. Price seconded the motion. By unanimous vote, the motion carried.

LICENSURE ISSUES

None

NCSBN

None

CORRESPONDENCE

Shawn Walker – Dr. Zickafoose reported the order for Mr. Walker required his continuing education be done “per year” and she questioned whether this was a typographical error. Mr. Salati made a motion to modify the order to remove “per year”, seconded by Dr. Contino. By unanimous vote, the motion carried. Dr. Zickafoose will send a letter to Mr. Walker stating the order has been modified and he has completed the required CE.

LICENSEE RATIFICATION

Ms. Littleton made a motion, seconded by Ms. Tyranski, to ratify the licensee list. By unanimous vote, the motion carried. The ratification list is attached at the end of the minutes.

PUBLIC COMMENT

Dr. Carol Sando from DSU stated she was pleased with the Board upholding the highest professional standards and she confirmed she is the acting chairperson at DSU.

Ms. Robinson from Leads stated she enjoyed and supports the Board's conversation on the affidavit

and application and what people will put on their applications.

Dr. Marge Agostino from DSU stated she hoped to be able to attend more Board meetings. When she moved from NJ the application by endorsement was a smooth and easy process. Renewals are also easy online. The Board is to be complemented on their consumer friendly process and upholding high standards.

NEXT SCHEDULED MEETING

September 11, 2013 - 9:00 a.m.

861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

ADJOURNMENT

The meeting adjourned at 4:09 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing

HEARING MINUTES

HEARING – Debra Behun

The Delaware Board of Nursing held a hearing on July 10, 2013, at 11:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Dianne Halpern, Mary Lomax, Madelyn Nellius, David Salati, Tracy Littleton, Robert Maddex, Delphos Price, Harland Sanders, Pamela Tyranski

RECUSED: None

EXCUSED: Lyron Deputy, Kathy Bradley

PURPOSE: Propose to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Debra Behun

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 11:00 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Behun was present. The Board was provided with Ms. Behun's previous Order. Ms. Davis-Oliva said at the May 8, 2013 Board of Nursing meeting, the Board found that Ms. Behun did not meet the practice requirement for licensure and suggested she do a supervised practice plan. The Board made a motion to PTD her application for non-compliance to the regulations. Ms. Behun was sworn in at 11:04 a.m. and gave a statement into the record. She said she just moved to Delaware from Pennsylvania in January and as she still had a nursing license in Pennsylvania, thought all she needed from Delaware was a permit to practice. Ms. Behun asked the Board for names of places that offer to do a supervised practice plan. Dr. Zickafoose explained the type of skilled nursing facilities she could contact. Dr. Contino described the process to Ms. Behun. Ms. Davis-Oliva said Ms. Behun was requesting to hold this hearing in abeyance. Ms. Nellius made a motion, seconded by Mr. Price, to hold the hearing in abeyance. By unanimous vote, the motion carried. The hearing concluded at 11:13 a.m.

HEARING MINUTES

HEARING – Stacey Hendricks

The Delaware Board of Nursing held a hearing on July 10, 2013, at 11:31 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Dianne Halpern, Mary Lomax, Madelyn Nellius, David Salati, Tracy Littleton, Robert Maddex, Delphos Price, Harland Sanders, Pamela Tyranski

RECUSED: None

EXCUSED: Lyron Deputy, Kathy Bradley

PURPOSE: Propose to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Stacey Hendricks

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 11:31 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Hendricks was present. Ms. Davis-Oliva marked copies of Ms. Hendricks' PTD letter and supporting documentation as Board's Exhibit #1 collectively. Ms. Hendricks was sworn in at 11:35 a.m. and gave a statement into the record. Ms. Hendricks said that while she was in Pennsylvania her brother mailed her application in to the Board. She said he thought he'd be nice and mail it for her. She said she called the Board and was told she'd have to wait until she was mailed something in the mail. She explained she didn't have a chance to fill it out further. Dr. Contino asked if her brother filled the application out for her and Ms. Hendricks replied, "No." Ms. Nicholson said the application was filled out with 'no' as the response to whether or not she was disciplined. Ms. Hendricks said she understood that. Ms. Nicholson stated that Ms. Hendricks answered 'Florida' and 'New Jersey' to question #15, but did not write 'Pennsylvania' in answer to the question about the states she has been licensed in. Ms. Hendricks said she was waiting on other paperwork. Ms. Nicholson asked Ms. Hendricks several questions regarding her notarized application. She said Ms. Hendricks signed the application and had it notarized despite the fact that it was not

complete and was answered incorrectly; thereby, falsifying the document. Ms. Hendricks reviewed the application again and stated she guesses she hadn't looked at it thoroughly before and apologized for not doing so. The Board continued to question her on why she hadn't listed Pennsylvania as a state she was licensed in and how long she had worked there. Ms. Hendricks said she had worked there 8 years. Ms. Nellius asked her what the nature of her discipline in Pennsylvania was and Ms. Hendricks said she gave medication to a family member. Ms. Littleton asked her how many years she worked in Florida and New Jersey and Ms. Hendricks said 7-8 years (Florida) and 1 year (New Jersey). Ms. Davis-Oliva asked her if she had anything further to submit, or documents or witnesses. Ms. Hendricks said 'no' and said she didn't know what else to say. She said she had called when she got back to Delaware and there was nothing else to do at that point. The Board went off the record for deliberations at 11:47 a.m. The Board went back on the record at 11:52 a.m. Ms. Nellius made a motion, seconded by Mr. Maddex, to give final denial to Ms. Hendricks for licensure. By unanimous vote, the motion carried. The Board went off the record and the hearing concluded at 11:53 a.m.

The Board of Nursing meeting was recessed from 11:55 a.m. until 12:55 p.m. for lunch.

HEARING MINUTES

HEARING –Brittany Campaniello

The Delaware Board of Nursing held a hearing on July 10, 2013, at 1:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Dianne Halpern, Mary Lomax, Madelyn Nellius, David Salati, Tracy Littleton, Robert Maddex, Delphos Price, Harland Sanders, Pamela Tyranski

RECUSED: None

EXCUSED: Lyron Deputy, Kathy Bradley

PURPOSE: Propose to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Brittany Wooleyhand Campaniello

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 1:06 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Campaniello was present. Ms. Davis-Oliva asked Ms. Campaniello if she was waiving her 20 day notice requirement and she replied, "Yes." Ms. Campaniello was sworn in at 1:06 p.m. and gave a statement into the record. Ms. Campaniello said she was called into the office at Upper Cut. She said several people were called in to the office because the money was coming up short. Ms. Campaniello said she admitted to taking \$2000 and spoke about the circumstances under which she took the money. She said she told them she would pay it back immediately and the owner said that was fine. She said she talked to her brother and when she got a call from the police department, went in and admitted taking \$2000. Her brother advised her to get a lawyer, which she did immediately. Ms. Campaniello said a little after that August Upper Cut was claiming she had taken \$20,000. Her lawyer said because she had told the truth in the beginning that Upper Cut could say she took everything. Her hearing was postponed until March 2013. The lawyer told her she could either go to trial or they could accept what Upper Cut was alleging in the hopes she wouldn't have a criminal history. She said she accepted it so she would not have a felony on her record. She said she has paid back the money, was put on probation in March, and completed 100 hours of community service in one month. She was taken off probation once she completed the community hours. Dr. Contino asked if anyone else was ever charged from Upper Cut and she said, "No." Ms. Littleton asked why she took the money and she said she took it for her family. The Board went off the record for deliberations at 1:15 p.m. The Board went back on the record at 1:18 p.m. Mr. Price made a motion, seconded by Ms. Halpern, to grant Ms. Campaniello a waiver to sit for the exam. By majority vote, the motion carried, with Ms. Littleton voting 'no'. The Board went off the record and the hearing concluded at 1:19 p.m.

HEARING MINUTES

HEARING – Johnna Hatter

The Delaware Board of Nursing held a hearing on July 10, 2013, at 2:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Dianne Halpern, Mary Lomax, Madelyn Nellius, David Salati, Tracy Littleton, Robert Maddex, Pamela Tyranski (Ms. Nellius left at 3:33 p.m.)

RECUSED: Harland Sanders

EXCUSED: Lyron Deputy, Kathy Bradley, Delphos Price

PURPOSE: Lift Suspension

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: Stacey Stewart, DAG

RESPONDENT: Johnna Hatter

COUNSEL FOR THE RESPONDENT: Andrea Rodgers, Esquire

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 2:02 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Stewart and Ms. Rodgers introduced themselves and both gave short opening statements. Ms. Stewart asked if Ms. Rodgers had any objection to her submitting a packet of exhibits to the Board, and Ms. Rodgers said she did not. The packet, Licensee Exhibit #1, was passed around to Board members for review. Ms. Rodgers explained that Ms. Johnna Zimmerman is now married and goes by her married name Johnna Hatter. She said she is here today to ask the Board for a second chance at nursing. Ms. Hatter was sworn in at 2:08 p.m. Ms. Hatter was questioned at length by Ms. Rodgers regarding the Exhibit #1 documents and the events that led to this Board meeting. Closing arguments started at 2:20 p.m. Ms. Stewart said Ms. Hatter was here to have her license reinstated. She said it is the State's position that it is not appropriate to have her suspension lifted at this time. She said Ms. Hatter shows a denial of substance abuse. The State feels it is appropriate for her to continue her suspension, complete a substance abuse program, and follow whatever the evaluation from that program states. She said if at that time Ms. Hatter comes to the Board, it may be possible to place her license on suspension with conditions. Ms. Rodgers said the State is required to prove all elements in the case. She said Ms. Stewart touched on them by stating an alleged pattern of drug abuse. Ms. Rodgers said it is more a case of a battered woman, injected against her will. She said it is not as cut and dry as the State would have it appear. She said Ms. Hatter has made mistakes and admitted them. She feels the State has not proven all elements of the case. The Board went off the record at 3:32 p.m. for deliberations.

Ms. Nellius left the meeting at 3:33 p.m.

The Board went back on the record at 3:47 p.m. Ms. Tyranski made a motion, seconded by Mr. Maddex, that the State has met its burden of demonstrating violations of this Board's statute by the licensee and that the appropriate discipline thereby shall be five years suspension, stayed after one year. If after one year the licensee can demonstrate an evaluation by the psychiatric professionals, as well as a substance abuse professional, and substantial compliance with any recommended treatment by both professionals, and during the one year suspension she can demonstrate participation in random drug and alcohol screenings on at least a monthly basis, then the license may be placed on probation for the remaining term during which time the licensee shall continue to follow the recommended treatment of the two evaluators and shall participate in random drug and alcohol screenings on at least a quarterly basis, as well as participation in some type of support group for victims of domestic violence. Any violation of any of the terms of the probation will result in the immediate transference of the probation back to a suspension for the remainder of the term. By unanimous vote, the motion carried.

The hearing concluded at 3:49 p.m.

The Board took a quick recess then began the next hearing at 3:56 p.m.

HEARING MINUTES

HEARING – Nancy Lulay

The Delaware Board of Nursing held a hearing on July 10, 2013, at 3:56 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Dianne Halpern, Mary Lomax, David Salati, Tracy Littleton, Harland Sanders, Pamela Tyranski

RECUSED: None

EXCUSED: Lyron Deputy, Kathy Bradley, Delphos Price, Madelyn Nellius, Robert Maddex

PURPOSE: Lift Probation

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director
Sheryl Paquette, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Nancy Lulay

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 3:56 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Lulay was present. Ms. Davis Oliva marked the following documents collectively as Licensee's Exhibit #1: The Board's previous Order dated January 14, 2009 placing Ms. Lulay on probation; a May 17, 2013 letter from Ms. Lulay to the Board indicating her compliance with the terms of her probation; a May 13, 2013 letter from Ms. Bernadette Odum, Interim Director of Nursing for the Center for Advance Surgical Arts, indicating Ms. Lulay's compliance with the Board Order; and a May 11, 2011 letter from Ms. Lulay to the Board indicating her compliance with the Board Order at that time. In addition, Ms. Lulay provided a letter dated July 1, 2013 which had not been circulated to the Board. This was marked as Licensee's Exhibit #2. Ms. Davis-Oliva said this letter is also from Ms. Bernadette Odum indicating that Ms. Lulay has been employed at the Center for Advanced Surgical Arts on a part-time basis since May 2011 and her work performance shows she's a dependable employee who provides high quality nursing care following the policies and procedures of the facility, and the letters states she supports the termination of Ms. Lulay's probationary status. Ms. Lulay was sworn in at 4:01 p.m. She then gave her testimony to the Board. The Board asked Ms. Lulay

questions. The Board then called Dr. Pamela Zickafoose, Executive Director, as a witness. Dr. Zickafoose was sworn in at 4:03 p.m. Dr. Contino asked her if Ms. Lulay's drug screens had been negative and if she had been compliant, to which Dr. Zickafoose responded, "Yes." Ms. Lulay was asked if she had any questions for Dr. Zickafoose and she said she did not.

The Board went off the record for deliberations at 4:05 p.m. The Board went back on the record at 4:06 p.m. Mr. Salati made a motion, seconded by Ms. Tyranski, to lift the probationary status on Ms. Lulay's license and have it restored to an unrestricted license. By unanimous vote, the motion carried.

The hearing concluded at 4:07 p.m.

Licensee Ratification Listings (for RN's, LPN's, and APN's)

July 2013 Licensee Listing – RN's (150)

L1-0043494	Mestro, Jessica L.	L1-0043546	Dewson, Beth A.
L1-0043495	Spory, Jenna L.	L1-0043547	Lehr, Eric R.
L1-0043496	Haritakis, Karen C. McDonald	L1-0043548	Richards, Nadine P. Lindsay
L1-0043497	Speight, Heather H. Maher	L1-0043549	Wise, Sarah R.
L1-0043498	Scott, Beverly C. Riggs	L1-0043550	Black, Stacey L. Frieberg
L1-0043499	Mooney-Levin, Meredith K.	L1-0043551	Lilly, Amanda M. Kosloski
L1-0043500	Jean-Pierre, Louisa	L1-0043552	Van Kampen, Erin G.
L1-0043501	Csiza, Sarah C. Hannell	L1-0043553	Hassman, Stacie Elizabeth
L1-0043502	Southers, Joyce L. Gosciniak	L1-0043554	Bryant, Deborah Fiore
L1-0043503	Abraham, Omana G. Oommen Kannangattil	L1-0043555	Cibroski, Kimberly M.
L1-0043504	Milano, Deborah K. Sanders	L1-0043556	Dick, Kristen A.
L1-0043505	Arbaugh, Heather Nicole	L1-0043557	Kerr, Sarai L. McKeithan
L1-0043506	Bontrager, Patricia Lynn	L1-0043558	McMillin, Rebecca A.
L1-0043507	Cook, Morgan Kathryn	L1-0043559	Vincent, Stacie N.
L1-0043508	Dare, Lianna Rachael	L1-0043560	Werner, Melissa J.
L1-0043509	Dickerson, Christopher W.	L1-0043561	Estes, Tracy S. Schweitzer
L1-0043510	Glennon, Taylor S.	L1-0043562	Bayne, Candace-Marie
L1-0043511	Gooss, Jaime Erin	L1-0043563	Pitcher, Erin K.
L1-0043512	Hudson, Andrew P.	L1-0043564	Querol, Royce Marcelino
L1-0043513	Jones, Stephanie Nicole	L1-0043565	Uhrick, Lauren L.
L1-0043514	Krieg, Rachel L.	L1-0043566	Kirby, Lynn G. Garvey
L1-0043515	Landis, Corlene S. Beachy	L1-0043567	Hoess, Michael P.
L1-0043516	Masanque, Jessinae P.	L1-0043568	Pomeroy, Julia Gabrielsen
L1-0043517	Mastin, Dallas L.	L1-0043569	DiVincenzo, Laura M.
L1-0043518	Phillips, Kaitlin Storm	L1-0043570	Leiby, Benjamin J.
L1-0043519	Russell, Kelsey N.	L1-0043571	Hearley, Erin M.
L1-0043520	Saunders, Nicole D.	L1-0043572	Jefferson, Angela M. Kukta
L1-0043521	Sharp, Amber Lynn	L1-0043573	Kuzoff, Tracy L.
L1-0043522	Vogl, Zachary J.	L1-0043574	Saul, Margaret L. Kresman
L1-0043523	Weeks, Michelle R.	L1-0043575	Walczak, Julie A. Smiscik
L1-0043524	Woerner, MaryBeth Dickson	L1-0043576	Lutt, Kathy A.
L1-0043525	Adkins, Jennifer L. Jones	L1-0043577	Babin-Bulgarelli, Mary T
L1-0043526	Baich, Valerie A. Allen	L1-0043578	Martin, Tiffany T. Dicker
L1-0043527	Islam, Fahmena	L1-0043579	Unsicker, Jane A.
L1-0043528	Jermyn, Laura L.	L1-0043580	Jacobs, DeLea L. Fitzgerald-Whitener
L1-0043529	Neal, Kelly E. Kohr	L1-0043581	Rokjer, Amanda L. Ruddy
L1-0043530	Patel, Niharika	L1-0043582	Hargraves, Danielle L. Patnode
L1-0043531	Short, Cassandra A.	L1-0043583	Lucas, Nicola L. Gouveia
L1-0043532	Corpus, Realiza la Duazo	L1-0043584	Lowers, Duane Errol
L1-0043533	Davidson, Breann M.	L1-0043585	McDerment, Kimberley Anne Perry
L1-0043534	Ferrer, Laura G. Kline	L1-0043586	Nesbitt, Kristen J. Smith
L1-0043535	Holloway, Carla Nichole	L1-0043587	Roberts, Cynthia L. LaPolt
L1-0043536	Lewis, Briana E.	L1-0043588	Segev, Zuzana
L1-0043537	Martin, Brittany J	L1-0043589	Smith, Jodie L. Weiler
L1-0043538	Meek, Stacey N. Vinson	L1-0043590	Bucci, Julia Endres
L1-0043539	Parham, Lawaun	L1-0043591	Dewan, Victoria L. Read

L1-0043540	Patosky, Erica Marie	L1-0043592	Fortner, Kathleen E. Fowler
L1-0043541	Powell, Anthony Dock	L1-0043593	Frink, Shannon M. Veltman
L1-0043542	Scroger, Kelli L.	L1-0043594	Higgins, Lisa A. Hall
L1-0043543	Vari, Carol A. Carlson	L1-0043595	Keen, Courtney
L1-0043544	Wingate, Jay C.	L1-0043596	Morris, Ashley S.
L1-0043545	McGarry, Dana L.	L1-0043597	Ogburn, Jon-Mikel

July 2013 Licensee Listing – RN's (continued)

L1-0043598	Perry, Kyle Langley
L1-0043599	Riggleman, Kelsey D.
L1-0043600	Tarpine, Erica Kilpatrick
L1-0043601	West, Mary Elizabeth
L1-0043602	Workman, Lia K. Tierney
L1-0043603	Eberhard, Melissa J.
L1-0043604	Humenik, Bethany C.
L1-0043605	Jeon, Ephram J.
L1-0043606	Karcher, Mary
L1-0043607	Maina, Onesmas Ndirangu
L1-0043608	Nikitina, Elena S.
L1-0043609	Robinson, Emily R.
L1-0043610	Addalli, MarieElena E. Craft
L1-0043611	Belickis, Anne M. Logue
L1-0043612	Bonner, Jennifer L. Pippin
L1-0043613	Collins, Bernadette K.
L1-0043614	Costa, Grace A.
L1-0043615	Mallica, Susan M.
L1-0043616	Moretti, Michael S.
L1-0043617	Riffe, Angela J. Harless
L1-0043618	Shields, Danielle N.
L1-0043619	Varichak, Shawna K.
L1-0043620	Smith, Stephanie D.
L1-0043621	Roquemoire, Patricia Ward
L1-0043622	Carlson, Kathleen M.
L1-0043623	Davis, Shannon Aubrey
L1-0043624	Houser, Elizabeth A.
L1-0043625	Pafford, Sueanne N.
L1-0043626	Serafin, Mary Jeanne
L1-0043627	Minford, Sandra L. Romano
L1-0043628	Mears, Becki J.
L1-0043629	Powers, Tina M. Gentner
L1-0043630	Miller-Hall, Samantha Annette
L1-0043631	Swartz, Colleen K.
L1-0043632	Huban, Wendy S. Farrell
L1-0043633	Hennecke, Stacie L.
L1-0043634	Hopkins, Angela K. Norton
L1-0043635	Pugh, Virginia L. Sinkey
L1-0043636	Jelic, Monika V. Vuchic
L1-0043637	Wons, Jeanette A.
L1-0043638	Williams, Chakika L.
L1-0043639	Teplitsky, Alice

L1-0043640	Tycon, Laura Elizabeth
L1-0043641	Church, Kasey K.
L1-0043642	Corcoran, Beth A.
L1-0043643	Gallagher, Maria L. Principe

July 2013 Licensee Listing – LPN's (29)

L2-0012030	George, Mobolaji Y.
L2-0012031	Keeney, Jessica
L2-0012032	Eskridge, Mindy B. King
L2-0012033	Harmon, Ronshelle N.
L2-0012034	Rountree, Amy J. Diller
L2-0012035	Rogers, Bonnie M.
L2-0012036	Cooper, Jaime L. Scott
L2-0012037	Dorey, Courtney E.
L2-0012038	Flores, Meagan
L2-0012039	Garcia, Jessica M. Jefferson
L2-0012040	Johnston, Jessica L.
L2-0012041	Kelley, Jaime L.
L2-0012042	Kissinger, Samantha L.
L2-0012043	Mariani, Catherine A. Smith
L2-0012044	Myrick, Irene L Rowe
L2-0012045	Plack, Jessica L. Musser
L2-0012046	Rost, Cassandra A. Cascia
L2-0012047	Whalen, Shannon Marie
L2-0012048	Bontrager, Leigh A.
L2-0012049	Hines, Victoria A.
L2-0012050	James, Jessica Lynne
L2-0012051	Marvel, Heather N. Messick
L2-0012052	Collins, Brittnee Lauren
L2-0012053	Hudson, Megan N. Donovan
L2-0012054	McGlothlin, Tiffany M. Lutz
L2-0012055	Swain, Amy Louise
L2-0012056	Patterson, Maya C. Norman
L2-0012057	Maxwell, Jennifer L. Szafranski
L2-0012058	Sibota, Peter N.

APN License Listing July 2013

Josh Fogarty	CRNA
Jamie Smith	CRNA
Arif Mohammed	CRNA
Nance Rowland	CRNA
Heather Tusi	CRNA
Jennifer Bingnear	CRNA
Helena MacDonald	Adult NP
Omana Abraham	FNP
Deborah Bryant	FNP
Tracy Estes	FNP
Jodie Delesio	FNP
Abbey Ngaima-Wilson	FNP

Patrick Massaquoi	FNP
Nina Anderson	FNP
Chelsea McEvoy	FNP
Dawn Fowler	FNP
Rosemary Ongaki	FNP
Lesa Poinsett	Women's Health Care NP
Aisha Cruz	Women's Health Care NP
Tara Jacobs	Acute Care NP

APN Prescriptive Authority for July 2013

*BMLD does not meet until July 23, 2013